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September 21, 2021

Via ECF Filing

Hon. Richard J. Sullivan
United States Court of Appeals
for the Second Circuit
40 Foley Square
New York, New York 10007

IT IS HEREBY ORDERED that defense counsel's request is GRANTED. Defense counsel shall submit a post-hearing memorandum by October 15, 2021.

SO ORDERED:

Dated: 09/21/21



RICHARD J. SULLIVAN
U.S.C.J., Sitting by Designation

Re: *United States v. Casimir Griffin*
Docket No. 11 Cr. 936 (RJS)

Dear Judge Sullivan:

I was appointed to represent Casimir Griffin in the above-referenced matter. I write with the consent of the Government to request an extension of time to respond to the Government's post-hearing memorandum filed on Friday, September 17, 2021. By Court Order, which had extended the Government's time to file its memorandum to September 17, 2021, the Court set Tuesday, September 21st as the date for the filing of the Defendant's memorandum in response. For the reason set forth herein, I request that the time for the Defendant to submit a memorandum in response be extended to October 15, 2021. AUSA Michael Maimin consents to this request.

As Your Honor may recall, as we wrapped up on the second day of the hearing and as the Court considered a briefing schedule, I had alerted the Court to the fact that I would be on trial in the EDNY before Judge Kuntz on a homicide case. That trial started with jury selection on September 13th and continued into September 14th. Opening statements and presentation of the evidence began yesterday. Judge Kuntz has told the jury that the trial will end by October 8th. Given my work on the trial case, I barely have just skimmed the Government's post-hearing memorandum and sent a copy to Mr. Griffin for his review. However, I simply cannot see my way clear to prepare a written submission in response any sooner than October 15th, one week after the expected conclusion of the trial before Judge Kuntz. I apologize for any inconvenience which this may cause the Court.

Hon. Richard J. Sullivan

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September 21, 2021

Accordingly, for the reason stated, I respectfully request that the within application for an extension of time to October 15, 2021 be granted.

Thank you for Your Honor's consideration of this request.

Respectfully submitted,

/s/

John F. Kaley

cc: AUSA Edward Robinson
AUSA Michael Maimin
(both via ECF filing)